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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,423	02/15/2002	Boris Andreyevich Krasnoiarov	PLM003001	3748
29585	7590	03/23/2005	EXAMINER	
DLA PIPER RUDNICK GRAY CARY US LLP 153 TOWNSEND STREET SUITE 800 SAN FRANCISCO, CA 94107-1907			SAIN, GAUTAM	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/077,423

Applicant(s)

KRASNOIAROV ET AL.

Examiner

Gautam Sain

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1-1) Claims 1, 2, 16, 17, 30, 31, 33, 46, 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter "Aapa"), in view of Lowery et al (US 5894554, issued Apr 13, 1999).

Regarding claims 1, 16, 31, 46, Aapa teaches receiving a ... components (ie., portal displays content to user upon user supplying user ID in the request with other data)(page 3, lines 10-21).

Aapa teaches after receiving ... content (ie., call to retrieve CRM content)(page 6, lines 12-20).

Aapa does not teach, but Lowery teaches sending ... information request (ie., multi-threaded ... simultaneous processing)(col 4, lines 40-53)(concurrently processing ...)(col 6, lines 20-32).

Aapa teaches forming ... requests ... transmitting ... client (ie., process assembles the retrieved content and sends ... user terminal for display)(col 6, lines 18-24).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Aapa to include multi-threading for simultaneous/concurrent

processing of personal web page content generation as taught by Lowery, providing the benefit of a method for creating personal pages while releasing the Web server to process other requests on one or more data sources in response to request (Lowery, Abstract section).

Regarding claims 2, 17, 32, 47, Aapa teaches single request ... Web pag (ie., portal displays content to user upon user supplying user ID in the request with other data)(page 3, lines 10-21).

Aapa teaches forming ... transmitting ... client (ie., process assembles the retrieved content and sends ... user terminal for display)(col 6, lines 18-24).

1-2) Claims 3, 13, 14, 15, 18, 28, 29, 30, 33, 43, 44, 45, 48, 58, 59, 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter “Aapa”), in view of Lowery et al (as cited above), further in view of Greenwood (US 6675212, filed Jun 12, 2000).

Regarding claims 3, 18, 33, 48, Aapa in view of Lowery does not expressly teach, but Greenwood teaches instantiating a timer ... web page (ie., period of time between additional data request)(col 4,lines 17-20).

Aapa in view of Lowery does not expressly teach, but Greenwood teaches if no response ... steps of ... immediately ... carrying out ... waiting for that response (ie., user is notified of the failure to obtain the request downloaded; the new instance of the user interface is created to display in the foreground and given active control in step 32 of figure 3A – the task is killed and user is notified of the failure where the user gets

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displayed a page without the requested downloads and can continue browsing)(col 9, lines 1-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Aapa in view of Lowery to include killing a requested task once a period of time has elapsed and the user is notified of the unsuccessful attempt and allowed to continue browsing without the requested data as taught by Greenwood, providing the benefit of a system and method for efficient data browsing that allows a user to automatically continue with a data browsing session and automatically receive a requested data file when the requested data file's download is temporarily delayed (Greenwood, col 3, lines 44-48).

Regarding claims 13, 28, 43, 58, Aapa teaches standard network protocol (ie., content components ... communicable via standard network protocol)(page 3, lines 22-25).

Regarding claims 14, 29, 44, 59, Aapa teaches Aapa teaches ... HTTP ... (page 3, lines 22-25).

Regarding claims 15, 30, 45, 60, Aapa in view of Lowery does not expressly teach, but Greenwood teaches generating a state machine ... request; and recursively ... information request (ie., system monitors the download process and delivers progress indicators to users of download delays and processes termination request after some time has elapsed)(col 7, lines 29-40; col 9, lines 1-49).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Aapa in view of Lowery to a system that monitors a download

process and delivers progress indicators to users of downloading delays and processes termination requests after some time has elapsed as taught by Greenwood, providing the benefit of an system and method for efficient data browsing that allows a user to automatically continue with a data browsing session and automatically receive a requested data file when the requested data file's download is temporarily delayed (Greenwood, col 3, lines 44-48).

1-3) Claims 4, 5, 6, 7, 8, 9, 10, 11, 12, 19, 20, 21, 22, 23, 24, 25, 26, 27, 34, 35, 36, 37, 38, 39, 40, 41, 42, 49, 50, 51, 52, 53, 54, 55, 56, 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter "Aapa"), in view of Lowery et al (as cited above), further in view of Greenwood (as cited above), further in view of Anuff et al (US 6327628, filed May 19, 2000).

Regarding clams 4, 19, 34, 49, Aapa in view of Lowery and Greenwood does not expressly teach, but Anuff teaches "converting ... format" (ie., different platforms ... JSP or ASP ;Portal server allows for JSP, ASP using the same JAVA libraries)(col 2, lines 60-67)(Manager and services ... configuration ... data driven resolution ... runtime resolution)(col 4, line 16 – col 5, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Aapa in view of Lowery, Greenwood to include a method to deal different platforms with data driven resolution as taught by Anuff, providing the benefit of a portal server that enables various resources to be controlled by the independent

entities without affecting the portal, where individual businesses and other entities can exercise complete ownership of their portals, ... (Anuff, Abstract section).

Regarding claims 5, 20, 35, 50, Aapa in view of Lowery and Greenwood does not expressly teach, but Anuff teaches "common ... markup language" (ie., code generated by the portal server in HTML – where converted data is presented in a common layout/sytle...)(col 4, line 20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Aapa in view of Lowery and Greenwood to include a method to deal different platforms with data driven resolution on a HTML based platform as taught by Anuff, providing the benefit of a portal server that enables various resources to be controlled by the independent entities without affecting the portal, where individual businesses and other entities can exercise complete ownership of their portals, ... (Anuff, Abstract section).

Regarding claims 6, 21, 36, 51, Aapa in view of Greenwood and Anuff does not expressly teach, but Lowery teaches "coverting ... servers" (ie., page servers incorporates data from multiple data sources into single page, which resides on a separate machine responsible for maintaining a connection cache for serving those specific components to the client and these are processed on different servers than the web server)(col 5, lines 40-65; lines 10-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Aapa in view of Greenwood and Anuff to include data is incorporated from multiple data sources into a single page as taught by Lowery,

providing the benefit of a method for creating personal pages while releasing the Web server to process other requests on one or more data sources in response to request (Lowery, Abstract section).

Regarding claim 7, 22, 37, 52, Aapa in view of Lowery and Greenwood does not expressly teach, but Anuff teaches converting step ... user terminal (ie., different platforms ... JSP or ASP ;Portal server allows for JSP, ASP using the same JAVA libraries)(col 2, lines 60-67)(Manager and services ... configuration ... data driven resolution ... runtime resolution)(col 4, line 16 – col 5, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Aapa in view of Lowery, Greenwood to include a method to deal different platforms with data driven resolution at the main server during runtime as taught by Anuff, providing the benefit of a portal server that enables various resources to be controlled by the independent entities without affecting the portal, where individual businesses and other entities can exercise complete ownership of their portals, ... (Anuff, Abstract section).

Regarding claims 8, 23, 38, 53, Aapa teaches corporate portal server (ie., corporate portals)(page 2, lines 20-30).

Regarding claims 9, 24, 39, 54, Aapa teaches Internet portal server (ie., personalized “web portals”)(page 2, lines 20-30)(Internet)(col 5, line 2).

Regarding claims 10, 25, 40, 55, Aapa teaches “each of the ... physically separate ... protocol” (ie., weather server 202 is separate from the News server 206 and

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connected on the standard network protocol)(page 4, lines 23-30; fig 2, items 202-206, 220).

Regarding claims 11, 26, 41, 56, Aapa teaches ... HTTP ... (page 3, lines 22-25).

Regarding claims 12, 27, 42, 57, Aapa teaches first component server ... management servers (ie., email server)(page 5, lines 10-15)(CRM ... email)(page 6, lines 12-20).

Response to Arguments

Applicant's arguments filed 8/12/04 have been fully considered but they are not persuasive.

I. For Claims 1, 16, 31, 46, Applicant first argues that neither AAPA nor Lowery teach receiving a single request specifying a plurality of content components, and then generating a plurality of information requests for the content. Examiner disagrees. Based on a user ID, the corporate portal displays the content components in a personalized arrangement and also selects the information within each content component (aapa, lines 16-20)

Applicant argues that neither AAPA nor Lowery teach sending each information request to the component server hosting the content corresponding to the information request before receiving a response to any of the information requests. Examiner disagrees. Lowery teaches a web client making a URL request to the web server(s) in

order to retrieve other web pages where the HTML output is displayed back to the user (Lowery, col 3, lines 65 – col 4, line 31).

II. For Claims 3, 18, 33, 48, Applicant argues that AAPA in view of Lowery and Greenwood does not teach if no response is received from a component server prior to a timeout period, then carrying out the steps of forming the personalized web page and transmitting the personalized web page to the client without waiting for the response. Examiner disagrees. Greenwood teaches that once a delay is identified, the download of the task is put into a separate task that runs in the background while active control of the data browsing is returned to the user (Greenwood, col 3, lines 55-67) without waiting for the download request. It would have been obvious to one of ordinary skill to allow user to display the personalized or any web page that the user had already been browsing.

III. Claim 15, 30, 45, 60 , Applicant argues that Greenwood does not teach generating a state machine. Examiner disagrees. Greenwood teaches implementation of the hardware state machine so as to perform the functions described (col 13, lines 5-10) where data requests are monitored from a web browser (col 7, lines 29-40). So, depending on what state the user browser is at, will provides the options that the user wants to proceed to the next resultant state.

IV. Claim 6, Applicant argues that Lowery dot not teach converting into a common data format is performed on content component servers. Examiner disagrees. In Lowery, the requests can be processed by a different processor than the web server executable. Thus the web server is thus free to continuing servicing client requests on

the web server while the request is processed 'off-line" at the machine on which dispatcher resides (Lowery, col 5, lines 13-19). Examiner broadly reads the converting step of claim 6 as processing of data prior to presentation.

V. Claim 7, 22, 37, 52, Applicant argues that Anuff does not teach or suggest that a format converting step is performed on the portal service component. Examiner disagrees. Anuff teaches a server that provides process management services which connects to a client as well as other network resources to acquire information from the Internet (col 4, lines 20-32). The examiner broadly interprets this server as the main server.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

G.S.

GS



SANJIV SHAH
PRIMARY EXAMINER